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Page: 1

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PAGE 01 BUENOS 00359 01 OF 02 161841Z
ACTION ARA-16

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ARGENTINA PROJECT (S200000044)
U.S. DEPT. OF STATE, A/RPS/TPS
Margaret P. Grafeld, Director
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[REDACTED] SECTION 1 OF 2 BUENOS AIRES 0359

USEEC; ROME FOR VATICAN; CINCSO FOR INTAFF; CINCLANT FOR POLAD

EO 12065: GDS 1/15/87 (RUSER, CLAUS W.) OR-M
TAGS: SHUM, AR
SUBJECT: HUMAN RIGHTS SUMMARY: JANUARY 3-16, 1981

REF: BUENOS AIRES 0024

BEGIN SUMMARY: [REDACTED] THE GOVERNMENT LIFTED THE DECREE MAKING THE
JEHOVAH'S WITNESSES ILLEGAL IN ARGENTINA BUT IT IS FAR FROM CER-
TAIN THAT THE SECT CAN OPERATE HERE. A LEADING HUMAN RIGHTS
ACTIVISTS REPORTS HE WAS HARASSED BY MEN APPARENTLY BELONGING TO
ONE OF THE SECURITY FORCES. DESPITE GENERALLY IMPROVED PRISONER
CONDITIONS, WE HAVE A REPORT OF MISTREATMENT OF ONE GROUP OF PRI-
[REDACTED]
[REDACTED]

PAGE 02 BUENOS 00359 01 OF 02 161841Z

SONERS. A FORMER TERRORIST, WHO ALLEGEDLY WAS INVOLVED IN A SERIES
OF CRIMES, WAS ARRESTED. THE GOA IS PREPARING FOR THE UNHRC

Current Class: [REDACTED]

Page: 1

UNCLASSIFIED

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1981BUENOS00359

UNCLASSIFIED

Page: 2

Channel: n/a

MEETING. END SUMMARY

1. (U) WITNESSES: ON JANUARY 6, THE MINISTRY OF FOREIGN RELATIONS AND RELIGION ANNOUNCED THAT THE PRESIDENT HAD ENACTED A DECREE REVOKING THE 1976 DECREE WHICH HAD PROHIBITED THE ACTIVITIES OF THE JEHOVAH7S WITNESSES IN ARGENTINA.

2. [REDACTED] COMMENT: THERE MAY WELL BE LESS TO THIS DECREE THAN MEETS THE EYE SINCE THE WITNESSES STILL MUST OBTAIN THE OFFICIAL RECOGNITION OF THE FOREIGN MINISTRY BEFORE THEY CAN LEGALLY OPERATE IN THE COUNTRY. UNDER A LAW ESTABLISHED BY THIS GOVERNMENT IN 1978, THIS IS A REQUIREMENT FOR ALL RELIGIONS, EXCEPT THE ROMAN CATHOLIC. THUS THE LIFTING OF THE SPECIFIC PROHIBITION AGAINST THE WITNESSES ENDS WHAT IS IN EFFECT A BILL OF ATTAINDER AGAINST THE WITNESSES. ACCORDING TO THE LAW, A RELIGION CANNOT BE REGISTERED AND THUS OPERATE IN ARGENTINA IF ITS ACTIVITIES ARE "DAMAGING TO PUBLIC ORDER, NATIONAL SECURITY, MORALITY AND GOOD BEHAVIOR." THE WITNESSES' REFUSAL TO ACCEPT MILITARY SERVICE COULD BLOCK THEIR REGISTRY ON THESE GROUNDS. AT THIS POINT, IT IS IMPOSSIBLE TO STATE THAT THIS WILL BE THE CASE. HOWEVER, THE FOREIGN MINISTRY'S ANNOUNCEMENT OF THE PRESIDENTIAL DECREE ALSO STATED THAT NON-CATHOLIC RELIGIONS MUST CONFORM TO ARGENTINE LAWS.

3. [REDACTED] HARASSMENT OF RIGHTS LEADER: EMILIO MIGNONE, ONE OF THE MOST ACTIVE AND EFFECTIVE HUMAN RIGHTS ACTIVISTS IN ARGENTINA, FILED A HABEAS CORPUS PETITION JANUARY 7 ON HIS OWN BEHALF. HE ASKED THE COURT TO ORDER A STOP TO THE HARASSMENT HE HAD SUFFERED DURING THE PREVIOUS TWO WEEKS. THE HARASSMENT, AMONG OTHER FORMS, TOOK THE FORM OF POLICE SURVEILLANCE OF HIS APARTMENT BUILDING, THE QUESTIONING OF HIS NEIGHBORS ABOUT HIS ACTIVITIES, THE INJECTION OF INSTANTANEOUS GLUE IN THE LOCK OF HIS APARTMENT DOOR. ON [REDACTED]
[REDACTED]

PAGE 03 BUENOS 00359 01 OF 02 161841Z

JANUARY 6 THE HARASSMENT STOPPED -- THOUGH MIGNONE'S PHONE, WHICH SUDDENLY WENT OUT OF SERVICE ON JANUARY 6, IS STILL NOT WORKING. IN HIS BABEAS CORPUS PETITION, MIGNONE ASKED THE JUDGE TO CONTACT THE CHIEF OF THE NATIONAL POLICE, THE MINISTRY OF THE INTERIOR AND COMMANDERS OF EACH OF THE ARMED SERVICES TO LEARN IF THS HARASSMENT OBEYED THEIR ORDERS AND TO ORDER ITS STOP IF IT DID. HE ALSO ASKED THE JUDGE TO INVESTIGATE THE EVENTS HE DESCRIBED SHOULD THE AUTHORITIES DECLARE THAT NO OFFICIAL ORGANIZATION WAS INVOLVED. ON JANUARY 13, JUDGE LUCIO SOMOZA, WHO RECEIVED MIGNONE'S PETITION, ANNOUNCED THAT HE WAS ACTING ON IT BY CONTACTING THE MINISTER, THE POLICE CHIEF AND THE SERVICE COMMANDERS. MIGNONE'S PETITION AND THE JUDGE'S REPLY WERE REPORTED BY

Current Class: [REDACTED]

Page: 2

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1981BUENOS00359

UNCLASSIFIED

Page: 3
Channel: n/a

SEVERAL LOCAL NEWSPAPERS.

4. [REDACTED] COMMENT: MIGNONE IS A SPARKPLUG FOR THE LOCAL HUMAN RIGHTS MOVEMENT. HE ALSO IS VERY ACTIVE IN CARRYING THE HUMAN RIGHTS ACTIVITIES MESSAGE TO GROUPS AND ORGANIZATIONS ABROAD: FOR EXAMPLE, HE TRAVELLED WITH PEREZ ESQUIVEL TO THE UNITED STATES, ATTENDED THE OASGA LAST NOVEMBER AND TESTIFIED AT LAST SUMMER'S GENEVA MEETING OF THE UN WORKING GROUP ON HUMAN RIGHTS. IN ADDITION, MIGNONE IS AN ACTIVE PERONIST -- EARLIER THIS MONTH HE WAS AMONG THE SIGNATORS OF A PETITION ASKING THE GOA TO ACCEPT THE PAPAL PROPOSAL FOR THE BEAGLE CHANNEL. FINALLY, HE SEEMS TO BE AMONG THE PEOPLE WHO ARE NOTIFIED BY THE MONTONEROS WHEN THEY WANT TO PUBLICLY RECORD THE DISAPPEARANCE OF ONE OF THEIR MEMBERS IN ARGENTINA. IN SHORT, MIGNONE--WHO HAS A DAUGHTER AMONG THE DISAPPEARED--IS A DEDICATED, EFFECTIVE AND RELENTLESS OPPONENT OF THE MILITARY GOVERNMENT. HOWEVER, HE IS NO TERRORIST AND HIS ACTIVITIES, AS HE NOTED IN THE HABEAS CORPUS PETITION, ARE WELL KNOWN.

5. [REDACTED] ALTHOUGH ANNOYANCE WITH MIGNONE IS WIDESPREAD IN THE GOA, WE DO NOT BELIEVE THAT HIS HARASSMENT IS BEING CARRIED OUT AS A MATTER OF OFFICIAL POLICY. INDEED, AN ADVISER OF PRESIDENT VIDELA DESCRIBED THE AUTHORS OF THIS HARASSMENT AS "DAMN FOOLS."

[REDACTED]

[REDACTED]

PAGE 04 BUENOS 00359 01 OF 02 161841Z

6. [REDACTED] ALLEGED MISTREATMENT OF PRISONERS: THE

[REDACTED]

NNN

[REDACTED]

PAGE 01 BUENOS 00359 02 OF 02 161855Z
ACTION EUR-12

INFO OCT-01 ARA-12 IO-14 ADS-00 HA-06 CIAE-00 DODE-00
PM-07 H-01 INR-10 NSAE-00 NSC-05 PA-01 SPRS-02
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Current Class: [REDACTED]

Page: 3

UNCLASSIFIED

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1981BUENOS00359

UNCLASSIFIED

Page: 4
Channel: n/a

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[REDACTED] SECTION 2 OF 2 BUENOS AIRES 0359

USEEC; ROME FOR VATICAN; CINCSO FOR INTAFF; CINCLANT FOR POLAD

MOTHER OF GUSTAVO WESTERCAMP HAS TOLD US THAT HER SON AND TWENTY-TWO OTHER PRISONERS WERE MISTREATED ON BEING TRANSFERRED DECEMBER 29 FROM RAWSON PRISON CAMP IN THE FAR SOUTH TO LA PLATA PRISON NEAR BUENOS AIRES. ACCORDING TO MRS. WESTERCAMP, THE PRISONERS WERE KEPT BLIDFOLDED, MANACLED AND WITH THEIR HEADS BETWEEN THEIR LEGS DURING THE THREE-HOUR FLIGHT. THEIR GUARDS ALLEGEDLY THREATENED THEM WITH BEING THROWN FROM THE PLANE. THEY ALSO BEAT AND KICKED THEM BOTH ON THE FLIGHT AND ON RECEPTION AT LA PLATA. MRS. WESTERCAMP HAS PROTESTED, IN WRITING, TO VARIOUS GOA OFFICIALS OVER THIS EVENT. SHE HAS TOLD US HER

[REDACTED]

[REDACTED]

PAGE 02 BUENOS 00359 02 OF 02 161855Z

SON IS NOW RECEIVING "NORMAL" THREATMENT IN LA PLATA, WHERE HE IS CONFINED TO A CELL BLOCK WHERE TREATMENT OF PRISONERS IS SUPPOSED TO BE DECENT.

7. [REDACTED] COMMENT: THIS IS ONE OF THE MORE DETAILED STORIES OF PRISONER MISTREATMENT WEHAVE HEARD. IN THE PAST, [REDACTED] INVESTIGATIONS OF SYSTEMATIC MISTREATMENT AND OF BEATINGS HAVE NOT DEMONSTRATED THAT SUCH CHARGES FROM FAMILY MEMBERS ARE ACCURATE. HOWEVER, MRS. WESTERCAMP HAS GENERALLY BEEN A QUITE RELIABLE SOURCE AND WE ARE INCLINED TO CREDIT HER STORY. IRONICALLY, HER SON'S TRANSFER FROM RAWSON, AS WELL AS THE GOA'S RECENT GRANTING TO OUR CONSULATE OF LONG-DENIED AUTHORITY TO VISIT HIM TO CONDUCT AN OPTION INTERVIEW, SEEM TO SUGGEST THAT CHANCES FOR HIS RELEASE HAVE

31

Current Class: [REDACTED]

Page: 4

UNCLASSIFIED

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1981BUENOS00359

1981 JAN 10 10 10 AM '81

Page: 5
Channel: n/a

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8. [REDACTED] FINALLY, WE HAVE HEARE SEVERAL STORIES THAT MOST POLITICAL PRISONERS WILL BE HELD IN RAWSON IN THE FUTURE. THESE REPORTS COMMENCED WITH A REPORT FROM A WESTERN EUROPEAN DIPLOMAT HTAT RAWSON, LONG REGARDED AS THE WORST OF PRISONS IS NOW WELL REGARDED BY ITS INMATES. IT SEEMS, ACCORDING TO OUR SOURCE, THAT THE PRISON IS EFFECTIVELY IMPLEMENTING REGULATIONS WHICH ALLOW PRISONERS ACCESS TO EXERCISE, READING MATERIAL AND WORK.

9. (U) FORMER TERRORIST DETAINED: THE ARMY ANNOUNCED AJNUARY 6 THAT IT HAD CAPTURED ANTONIO PEDRO DEPERE, A TERRORIST WHO AS A MEMBER OF ERP CONDUCTED NUMEROUS TERRORIST ACTS AND ASSASSINATIONS IN THE MID-1970'S. MUNITIONS, ARMS, AND SUBVERSIVE MATERIALS WERE FOUND [REDACTED]
[REDACTED]

PAGE 03 BUENOS 00359 02 OF 02 161855Z

IN LEPERE'S HOME.

10. [REDACTED] COMMENT: LEPERE'S ACTIVE TERRORIST CAREER SEEMS TO HAVE ENDED SEVERAL YEARS AGO. LATE IN 1979, THE SECURITY SERVICES SEEM TO HAVE INSTITUTED A POLICY UNDER WHICH INACTIVE FORMER TERRORISTS LIKE LEPERE, WHEN CAPTURED, ARE PUT INTO JAIL AND FORMERLY CHARGED RATHER THAN "DISAPPEARING," WHICH WOULD HAVE BEEN THEIR FATE IN EARLIER YEARS. IN 1980, SEVERAL OTHER EX-ERP TERRORISTS SIMILARLY WOUND UP IN DETENTION.

11. (U) LOOLING TO GENEVA: THE GOA IS PREPARING ITSELF FOR THE 37TH MEETING OF THE UN HUMAN RIGHTS COMMISSION IN GENEVA WHICH CONVENES FEBRUARY 2. LATE LAST MONTH A FOREIGN OFFICE OFFICIAL TOLD THE EMBASSY THAT ONE OF THE GOA'S STRATEGIES WOULD BE TO ATTACK THE LISTINGS OF DISAPPEARED BY FOCUSING ON NAMES OF INDIVIDUALS WHO, IT COULD POSSIBLY CLAIM, HAD NOT DISAPPEARED AT ALL. SEEMINGLY IN CONFIRMATION THIS INFORMATION, A PRESS STORY --OBVIOUSLY BASED ON OFFICIAL SOURCES AND DEALING WITH THE ARGENTINE STRATEGY FOR THE UNHRC MEETING-- ALLUDED TO THE REPORTED DISAPPEARANCE OF GWRVASIO MARTIC GAUDIX. GAUDIX WAS REPORTED TO HAVE DIS-APPEARED IN AUGUST. ON DECEMBER 28, THE ARGENTINE

Current Class: [REDACTED]

Page: 5

1981 JAN 10 10 10 AM '81

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1981BUENOS00359

UNCLASSIFIED

Page: 6
Channel: n/a

ARMY ISSUED A COMMUNIQUE (REFTEL) STATING THAT GAUDIX HAD COMMITTED SUICIDE DECEMBER 2 BY TAKING CYANIDE WGBE GE WAS DETECTED BY SECURITY FORCES WHILE TRYING TO CROSS FROM ARGENTINA TO BRAZIL. THE PRESS STORY STATED THAT "AN IMPORTANT NATION" HAD BEEN GULLED INTO MAKING INQUIRIES ABOUT GAUDIX AFTER HIS DISAPPEARANCE, THEREBY PLAYING INTO THE HANDS OF THE TERRORISTS.

12. [REDACTED] COMMENT: FROM THE BEGINNING THE GOA HAS DENIED HAVING CAPTURED GAUDIX. ON THE OTHER HAND,
[REDACTED]
[REDACTED]

PAGE 04 BUENOS 00359 02 OF 02 161855Z

HUMAN RIGHTS ACTIVISTS ARE VERY SUSPICIOUS OF THE ARMY'S STORY. WE WERE TOLD IN EARLY SEPTEMBER THAT GAUDIX HAD LEFT THE APARTMENT HE SHARED WITH HIS COMMON-LAW WIFE AIXA EDOTH BONA (WHO WAS ALSO HIS MONTONEROS PARTNER) AND DID NOT RETURN. BONA WAITED FOR HIM FOR NEARLY TWENTY-FOUR HOURS AND WAS FINALLY CAPTURED HERSELF AT THE APARTMENT. PRESUMABLY IF HE HAD DECIDED TO RUN BECAUSE HE FEARED CAPTURE, HE WOULD HAVE FIRST WARNED BONA. (THE EMBASSY NEVER MADE AN DEMARCHE ABOUT GAUDIX. HOWEVER, HIS NAME WAS ON THE LIST OF ALLEGED DISAPPEARED WHICH WAS GIVEN TO THE GOA BY THE DEPARTMENT. THIS LIST, IN TURN, WAS BASED ON THE NAMES COMPILED BY THE PERMANENT ASSEMBLY.)

SHLAUDEMAN
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Current Class: [REDACTED]

Page: 6

UNCLASSIFIED